

**REAL ESTATE BOARD
MINUTES
JULY 22, 2004**

PRESENT: Richard Hinsman, Richard A. Kollmansberger, Peter Sveum, Lloyd Levin, and Maria Watts

EXCUSED: Rebecca J. Dysland

STAFF PRESENT: William Black, Legal Counsel, Pat Schenck, Program Assistant, and Division of Enforcement Staff

GUESTS: Rick Staff, Wisconsin Realtors Association (WRA)
Lisabeth Weirich, Broker
Jay Reifert, Broker, Excel-Exclusive Buyer Agency

CALL TO ORDER

Richard Kollmansberger, Chair, called the meeting to order at 10:12 a.m. A quorum of five members was present.

ADOPTION OF AGENDA

MOTION: Richard Hinsman, moved, seconded by Peter Sveum, to adopt the agenda as written. Motion carried unanimously.

APPROVAL OF MINUTES MAY 27, 2004

MOTION: Peter Sveum moved, seconded by Richard Hinsman, to approve the minutes of May 27, 2004 as written. Motion carried unanimously.

PRESENTATION OF PROPOSED STIPULATIONS BY DIVISION OF ENFORCEMENT

Peter M. Skanavis & Metrostar Inc. d/b/a Homeowners Concept

ADMINISTRATIVE REPORT

Mr. Black announced that Patty Hoeft, Division Administrator has left the Department in order to spend more time with her family in Green Bay, WI. Roxanne Peterson will be temporarily handling the technical scheduling matters and Mr. Black will be working with administrative tasks for the Board.

BOARD ROSTER

The Real Estate Board is currently minus one public member.

September screening panel members: Richard Kollmansberger and Peter Sveum

2004 BOARD MEETING DATES

The Board discussed Board members being available on the scheduled Board meeting dates, the lack of participation from Board members by telephone, the importance of in-person meetings, and that a telephone conference call does not take the place of an in-person Board meeting.

SUMMARY REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES, ADMINISTRATIVE RULES AND LEGISLATION

Noted.

REGULATORY DIGEST

Mr. Black reported that the publications and numbers of the Regulatory Digest Newsletter to be printed is currently on hold and has not been decided.

The Board requested that a Press Release be done no later than September to remind licensees that continuing education needs to be completed by the end of the year along with a reminder that a random audit will be conducted.

Articles for the newsletter would generate more interest in requesting that a newsletter is published for the Board. The Board created a list of subjects and issues for publication in the newsletter at a prior meeting. The Board would like a newsletter printed in October.

REVIEW DRAFT OF BROCHURE PROPOSED TO IMPROVE AGENCY DISCLOSURE

The Board reviewed the draft of the brochure proposed to improve agency disclosure. Mr. Black reviewed the changes with the Board. Included in the brochure was a published notice on the Department of Financial Institutions website regarding the "Good Funds Law" in Wisconsin. The Board suggested revising the format for easier reading.

ADMINISTRATIVE RULES UPDATE ON PROPOSED AMENDMENT OF RL 17 REGARDING SUPERVISION

Mr. Black reported that the revisions to 227 required that we include the law from all adjacent states, Illinois, Iowa, Minnesota, Michigan, and Indiana. It is being put in final form and will be transmitted to the clearinghouse for their review and they will provide us with a report in time for the September Board meeting. The rule will be submitted January 2005 to the legislature.

CLOSED SESSION

MOTION: Lloyd Levin moved, seconded by Maria Watts, to convene to Closed Session to deliberate on cases following hearing (s. 19.85(1) (a), Stats.; to consider licensure or discipline (s. 19.85(1) (b), Stats.; to consider individual histories or disciplinary data (s. 19.85(1) (f), Stats.; and, to confer with legal counsel (s. 19.85(1) (g), Stats. to consider case closings, monitoring reports, deliberation on cases proposed to be closed by administrative warning. Motion carried by roll call vote. Richard Hinsman-yes, Richard A. Kollmansberger-yes, Peter Sveum-yes, Lloyd Levin-yes, Maria Watts-yes.

Open session recessed at 11:57 a.m.

RECONVENE TO OPEN SESSION

MOTION: Lloyd Levin moved, seconded by Richard Hinsman, to reconvene into Open Session at 11:33 a.m. Motion carried unanimously.

VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

MONITORING REPORT

None.

CASE CLOSINGS

MOTION: Lloyd Levin moved, seconded by Richard Hinsman, to close the following cases: Motion carried unanimously.
03 REB 149 close for no violation.
01 REB 240 close for no violation.
04 REB 019 close for prosecutorial discretion (P7).
03 REB 183 close for prosecutorial discretion (P1).
03 REB 188 close for prosecutorial discretion (P2).
03 REB 189 close for prosecutorial discretion (P2).
03 REB 191 close for prosecutorial discretion (P2).
03 REB 192 close for prosecutorial discretion (P2).
03 REB 193 close for prosecutorial discretion (P2).

ADMINISTRATIVE WARNINGS HEIDI M. DIERS 03 REB 273

MOTION: Peter Sveum moved, seconded by Maria Watts, to accept the administrative warning as written for case **03 REB 273 Heidi M. Diers**. Motion carried unanimously.

JAMES B. TAIT AND TAIT REALTY INC 03 REB 273

MOTION: Peter Sveum moved, seconded by Richard Hinsman, to reject the administrative warning and refer back to the Division of Enforcement case **03 REB 273 James B. Tait and Tait Realty Inc.** Motion carried unanimously.

WILLIAM R. LEITH 01 REB 240

Mr. William R. Leith, appeared before the Board to discuss Administrative Warning 01 REB 240. Request was withdrawn by petitioner. There was no Board action in the matter concerning case 01 REB 240 William R. Leith.

STIPULATIONS

**PETER M. SKANAVIS & METROSTAR INC d/b/a HOMEOWNERS CONCEPT
03 REB 196**

MOTION: Peter Sveum moved, seconded by Lloyd Levin, to adopt the Stipulation, Findings of Fact, Conclusions of Law and Order in the matter concerning **Peter M. Skanavis & Metrostar Inc. d/b/a Homeowners Concept.** Motion carried unanimously.

SUCH OTHER ITEMS AS AUTHORIZED BY LAW

None.

ADJOURNMENT

MOTION: Richard Hinsman moved, seconded by Lloyd Levin, to adjourn the meeting at 11:38 a.m. Motion carried unanimously.

Next Meeting September 23, 2004

Agenda Items:

- RL 25 – Reciprocity Issues.